

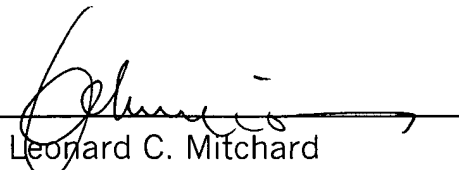
**REMARKS**

The above amendments have been made to place the application in better form for allowance. Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page(s) is captioned **"Version With Markings To Show Changes Made."**

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Leonard C. Mitchard  
Reg. No. 29,009

LCM:lks  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

8. (Amended) A switch as claimed in claim 5, [6 or 7], wherein the input and output waveguides intersect at an angle of substantially 90 degrees.

9. (Amended) A switch claimed in [any one of claims 5 to 8] claim 5 wherein the first and second upper waveguides are of the same width as the input and output waveguides respectively.

10. (Amended) A switch as claimed in [any one of claims 5 to 9] claim 5, wherein the first and second upper waveguides are not of the same thickness as the input and output waveguides respectively.

11. (Amended) A switch structure as claimed in [any one of claims 5 to 9] claim 5, wherein the first and second upper waveguides are of the same thickness as the input and output waveguides respectively.

12. (Amended) A switch as claimed in [any one of claims 5 to 11] claim 5, wherein the axis of the first and second upper waveguides are centred above the axis of the input and output waveguides respectively.

13. (Amended) A switch as claimed in [any one of claims 5 to 11] claim 5, wherein the axis of the first and second upper waveguides are not centred above the axis of the input and output waveguides respectively.

14. (Amended) A switch as claimed in [any one of claims 5 to 13] claim 5, wherein the first and second upper waveguides and/or the input and output waveguides are not of constant width and/or constant thickness.

15. (Amended) A switch as claimed in [any one of claims 5 to 14] claim 5, formed on a substrate material which is substantially planar.

16. (Amended) A switch as claimed in [any one of claims 5 to 15] claim 5, wherein the waveguides are terminated by end facets that are not perpendicular to the waveguide axis.

17. (Amended) An array of switches each switch being as claimed in [any one of claims 5 to 16] claim 5.